

1 THE HONORABLE JAMES L. ROBART
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 MICROSOFT CORPORATION,

vs.
Plaintiff,

MOTOROLA, INC., et al.,

Defendants.

MOTOROLA MOBILITY, INC., et al.,

Plaintiffs,

vs.

MICROSOFT CORPORATION,

Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER
WION IN SUPPORT OF
MICROSOFT'S OPPOSITION TO
DEFENDANTS' MOTIONS IN LIMINE

Noted: October 19, 2012

I, Christopher Wion hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
DEFENDANTS' MOTIONS IN LIMINE - 1

LAW OFFICES
CALFO HARRIGAN LEYH & EAKES LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL. (206) 623-1700 FAX. (206) 623-8717

1 2. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of the
2 transcript of the April 10, 2012 deposition of Amy A. Marasco, taken in the above-captioned
3 case.

4 3. Attached hereto as Exhibit 2 (Filed Under Seal) is a true and correct copy of the
5 transcript of the April 4, 2012 deposition of Horacio E. Gutierrez, taken in the above-captioned
6 case.

7 4. Attached hereto as Exhibit 3 (Filed Under Seal) is a true and correct copy of the
8 August 10, 2012 Rebuttal Expert Report of Kevin M. Murphy, submitted in the above-
9 captioned case.

10 5. Attached hereto as Exhibit 4 true and correct copy of the transcript of the
11 August 28, 2012 deposition of Ramamirtham Sukumar, taken in the above-captioned case.

12 6. Attached hereto as Exhibit 5 is a true and correct copy of the July 24, 2012
13 Opening Expert Report of Ramamirtham Sukumar, submitted in the above-captioned case.

14 7. Attached hereto as Exhibit 6 (Filed Under Seal) is a true and correct copy of the
15 July 24, 2012 Opening Expert Report of Matthew Lynde, submitted in the above-captioned
16 case.

17 8. Attached hereto as Exhibit 7 (Filed Under Seal) is a true and correct transcript
18 from the July 12, 2012 deposition of David W. Curtis, taken in the above-captioned case.

19 9. Attached hereto as Exhibit 8 is a true and correct copy of Jonathan L. Rubin,
20 "Patents, Antitrust, and Rivalry in Standard-Setting," 38 *Rutgers Law Journal* 509 (2007).

21 10. Attached hereto as Exhibit 9 (Filed Under Seal) is a true and correct copy of the
22 transcript of the August 24, 2012 deposition of Charles R. Donohoe, taken in the above-
23 captioned case.

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DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
DEFENDANTS' MOTIONS IN LIMINE - 2

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1 11. Attached hereto as Exhibit 10 (Filed Under Seal) is a true and correct copy of
2 the transcript of the August 22, 2012 deposition of Richard L. Schmalensee, taken in the
3 above-captioned case.

4 12. Attached hereto as Exhibit 11 (Filed Under Seal) is a true and correct copy of
5 the July 24, 2012 Opening Expert Report of Michael J. Dansky, submitted in the above-
6 captioned case.

7 13. Attached hereto as Exhibit 12 is a true and correct copy of an October 11, 2012
8 *Law360.com* article entitled "An Interview with Fed. Circ. Chief Judge Rader: Part 1,"
9 available online at: <<http://www.law360.com/technology/articles/385311/an-interview-with-fed-circ-chief-judge-rader-part-1>>, last accessed October 12, 2012.

11 14. Attached hereto as Exhibit 13 is a true and correct copy of Jorge L. Contreras,
12 "Rethinking RAND: SDO-Based Approaches to Patent Licensing Commitments," ITU Patent
13 Roundtable Working Paper (Oct. 2012).

14 I declare under penalty of perjury under the laws of the United States of America that
15 the foregoing is true and correct.

16 DATED this 15th day of October, 2012 in Seattle, Washington.

17 
18 CHRISTOPHER WION

CERTIFICATE OF SERVICE

I, Linda Bledsoe, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 15th day of October, 2012, I caused the preceding document to be served

on counsel of record in the following manner:

Attorneys for Motorola Solutions, Inc., and Motorola Mobility, Inc.:

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**DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
DEFENDANTS' MOTIONS IN LIMINE - 4**

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DATED this 15th day of October, 2012.

Dr. Blenc

LINDA BLEDSOE

**DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S OPPOSITION TO
DEFENDANTS' MOTIONS IN LIMINE - 5**

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